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SUBJECT Dealing with Intelligence Leaks

ANNOUNCER: From Boston, this is Monitor Radio, the public radio broadcast service of the Christian Science Monitor.

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HOST: Intelligence leaks have become a thorn in the side of the Reagan Administration, and the Administration is attempting to identify government employees who are leaking classified information to the media. Furthermore, the Administration is threatening to prosecute news organizations which publish classified information.

Monitor Radio's Bob McDonald talked with two experts who have differing opinions on the issue. We begin with Bob's conversation with former CIA Deputy Director for National Intelligence, George Carver, who would like to see the leaks plugged up.

GEOGE CARVER: Well, they are a fact of life and they are a decidedly mixed blessing. The advantages, I feel, are negligible, and the risks and damage that they do is considerable. So the mixture, to my mind, comes out a net minus rather than a net plus.

BOB MCDONALD: Why do you think that there have been more leaks out of the Reagan Administration than any other in recent memory?

CARVER: I don't know that that is in fact true. Everyone tends to focus on what happened last week and say that it's different from anything that ever happened in previously recorded history, which is not always accurate. A past master of

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the leak, for example, was Franklin Roosevelt.

But there have been a fairly large number, partly because there has been a general breakdown in discipline over the last 10 or 15 years. And the idea that you should let yourself be outvoted is something that's very alien to people on both the right and the left of our ideological spectrum. And they aren't willing to lose. And they feel that if they get overruled, that that obviously must be wrong, and they go around and sand-bag the decision that went the way they didn't like.

MCDONALD: So an internal vote isn't the last step. There are other steps to be taken. And thus we have a lot of people taking advantage of the leaks.

CARVER: You do indeed, as you did under President Carter's Administration, and have had in every Administration before that.

MCDONALD: Then you wouldn't necessarily agree with some of the other experts that are saying that we definitely have more leaks in this current Administration.

CARVER: Leaks are a very bad problem in this Administration. They have been bad problems in previous Administrations. And I don't think anybody's kept a sufficiently accurate headcount to be able to make absolutely accurate comparative judgments.

MCDONALD: As you observe the current debate in Washington over leaks to the press, what do you feel are the underlying issues?

CARVER: I think it is a question, basically, of who should be empowered to decide which secrets the government needs to protect. And I, frankly, find the arrogance of some of the mandarins in the media on this subject rather mind-boggling: that they, who were elected by no one and who make a fetish of saying that they're accountable to no one but themselves, arrogate unto themselves the right to be the final arbiters of what secrets the government is allowed to keep, our elected government, and what can be published without damage. And these are judgments that they are not fit to make and, to my mind, are not entitled to make.

MCDONALD: What do you think it will take for this Administration, or a following Administration to make any significant headway in plugging leaks?

CARVER: I think the first thing that's necessary is a

much greater degree of internal discipline. I mean things can't be published in the press unless they were slipped under the table or tossed over the transom, literally or metaphorically, to people on the outside. And I think the government has to crack down on those inside the government who can't keep their mouths shut. And when they have got their own house perceptively better in order, then I think that they should be prepared to move against people in the press and in the media who violate specific, tightly-drawn statutes, particular ones who violate Section 798 and endanger and compromise our capabilities with respect to communications intelligence.

I think, there, salutary example could be made of a few. To use the old French expression, it's time to hang a few admirals to encourage the others.

MCDONALD: So you would agree with the actions that CIA Director William Casey took last month when he threatened five news organizations, including the New York Times, the Washington Post, to take them to court for publishing classified information that the CIA felt was a threat to national security.

CARVER: I don't regard calling attention to a valid section of the United States Code as a threat. If I tell you that what you are about to do or what you are contemplating to do violates the law, I don't think that threatens you. I think I've done you a service.

MCDONALD: Jeanne Otto is editorial page editor for the Rocky Mountain News. She's also founder of the First Amendment Congress, a coalition of 17 national journalism organizations, both print and broadcast. And she's also the former President of the Society of Professional Journalists. She joins us by phone from her office in Denver.

Jeanne, in a statement last month, White House spokesman Larry Speakes had this to day regarding leaks threatening our national security. He said that anyone who violates the law should be prosecuted, whether it be a publication or whether it be a member of the Administration who's leaking information.

Do you agree?

JEANNE OTTO: Well, of course I don't agree, because what that implies is that any kind of a leak is a threat. And obviously, that's not so. In fact, I suspect that if everyone [is] prosecuted for leaking information that had some sort of security attached to it, we would find very few people presently living in the White House or the Pentagon or the Department of State, or wherever you want to name it.

MCDONALD: But in this case, Larry Speakes was saying, specifically, leaks that violate the law.

OTTO: Well, the law is the First Amendment. If you're talking about the 1950 law, which has never been used in relationship to journalists, maybe that's something that ought to be tested just to see whether it does apply. But the law says that the press shall not be subjected to prior restraint. And I think that the other side of that coin is that the press ought to embrace responsibility. And I believe it does.

MCDONALD: As you observe the current debate in Washington over unauthorized leaks and how they should be dealt with, how would you summarize your concerns?

OTTO: I think that the climate is a very, almost vicious one against the media. What it is saying is that the American people have no right to know what government does. It has no right to make any kinds of decisions or have any input until after something is already decided, implemented, and then announced.

And that's just simply not the way this government was intended to run. It was supposed to be a government in which citizens participate. Then, letting them know about things once they're already decided is absolutely antithetical to the premises we start from.

MCDONALD: George Carver just told us that he feels an important underlying issue is the question, who should be empowered to decide which secrets the government needs to protect? Now, he believes that these are judgments that the press is not fit to make, in his mind, are not entitled to make.

What's your response to that?

OTTO: Well, I think in many cases he's probably correct. But, you know, it bothers me a good deal when I hear people in government say that to criticize this government or to put out information about what is going on is the equivalent of treason. It's traitorous to criticize.

And yet, isn't that what a democracy is all about?

MCDONALD: What do you feel would be the effect on our lives if an Administration could effectively eliminate the unauthorized leaking of classified information in Washington?

OTTO: I don't think that government can prove a single instance in which national security has been compromised by an irresponsible press. If it is compromised, it's compromised by people who are in government who are irresponsible.

MCDONALD: So you see leaks as an integral part of that process.

OTTO: Absolutely.

HOST: That was Monitor Radio's Bob McDonald talking with former CIA Deputy Director of National Intelligence George Carver and with Jeanne Otto, editorial page editor of the Rocky Mountain News and founder of the First Amendment Congress.